

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

DENNIS JOHNSTON, on behalf of
himself and all others similarly
situated,

Plaintiff,

v.

Case No. 3:20-cv-539-MMH-PDB

NORTH FLORIDA REFORESTATION
SERVICES, INC., and ROBERTS SITE
DEVELOPMENT, INC.,

Defendants.

ORDER

THIS CAUSE is before the Court on the Report & Recommendation (Dkt. No. 56; Report) entered by the Honorable Patricia D. Barksdale, United States Magistrate Judge, on December 23, 2021. In the Report, Judge Barksdale recommends that the Joint Motion to Approve Settlement Agreement and Stipulation of Dismissal With Prejudice (Dkt. No. 55; Motion) be granted, the settlement be approved, and the case be dismissed with prejudice. See Report at 9. The parties have no objections to the Report. See Joint Notice of Non-Objection (Dkt. No. 57).

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at * 1 (M.D. Fla. May 14, 2007).

The Court has conducted an independent examination of the record in this case and a de novo review of the legal conclusions. Plaintiff filed suit against Defendants for unpaid overtime compensation pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 et seq. (FLSA). See Collective Action Complaint (Dkt. No. 1). Thereafter, the parties engaged in settlement negotiations, which resulted in a resolution of the issues and claims raised in this case. See generally Motion.

Upon review of the record, including the Report and Motion, the undersigned concludes that the settlement represents a “reasonable and fair” resolution of Plaintiff’s claims. Accordingly, the Court will accept and adopt the Report.

In light of the foregoing, it is hereby

ORDERED:

1. The Report & Recommendation (Dkt. No. 56) is **ADOPTED** as the opinion of the Court.
2. The Joint Motion to Approve Settlement Agreement and Stipulation of Dismissal With Prejudice (Dkt. No. 55) is **GRANTED**.
3. For purposes of satisfying the FLSA, the settlement is **APPROVED**.
4. This case is **DISMISSED WITH PREJUDICE**.
5. The Clerk of the Court is directed to terminate any pending motions or deadlines as moot and close this file.

DONE AND ORDERED in Jacksonville, Florida this 3rd day of January, 2022.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record